

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JONATHAN FELICIANO,

Plaintiff,

v.

PIERCE COUNTY JUDICIAL SYSTEM,

Defendant.

CASE NO. 3:23-cv-5310

ORDER ADOPTING REPORT AND  
RECOMMENDATION

This matter comes before the Court on the Report and Recommendation from United States Magistrate Judge, Brian A. Tsuchida. Dkt. No. 6. The Report and Recommendation recommends that this Court dismiss Plaintiff Jonathan Feliciano’s 42 U.S.C. § 1983 civil rights complaint against the “Pierce County Judicial System” for two reasons. First, to the extent Plaintiff seeks to sue either the Pierce County Superior Court or Pierce County Superior Court Judges and officials, they are immune from suit under the Eleventh Amendment and the doctrine of absolute judicial immunity. *See id.* at 3–4. Second, because Plaintiff’s state court matter appears to be pending, the case falls within the ambit of *Younger* abstention. *See id.* at 5–6.

1 The Court agrees with the Report and Recommendation's reasoning that dismissal with  
2 prejudice is warranted given that Plaintiff's claims are barred by judicial immunity and thus,  
3 amendment would be futile. Accordingly, the Court dismisses on this ground and need not  
4 consider the alternative reasoning.

5 Having reviewed the Report and Recommendation of the assigned United States  
6 Magistrate Judge, any objections or responses to that, and the remaining record, the Court finds  
7 and ORDERS:

8 (1) The Court ADOPTS the Report and Recommendation.

9 (2) The case is DISMISSED with prejudice.

10 (3) The Clerk is directed to send copies of this Order to the parties.

11 Dated this 5th day of July, 2023.

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Jamal N. Whitehead  
14 United States District Judge  
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